

Application No.: 10/814,628

Docket No.: 21854-00040-US

REMARKS

In view of the above amendment, applicant believes the pending application is in condition for allowance.

The office action has been fully considered.

Claims 1 and 5 were rejected under 35 U.S.C. §102(b) as anticipated by Martin et al. Claims 2 and 4 were rejected under 35 U.S.C. §103(a) as unpatentable over Martin in view of Bradford. Claim 3 was rejected under 35 U.S.C. § 103(a) as unpatentable over martin in view of Bradford and further in view of Amacker.

Applicant has amended the claims to more clearly differentiate the invention from the cited prior art as discussed below. The specification has been amended to clarify these points of distinction. No new matter has been introduced

Upon review of the cited references, applicant believes the most pertinent prior art is the patent to Bill (5,970,874) cited by applicant in the Background of Invention and the IDS.

This patent attempts to prevent the pallet arm of a screen printing machine, which must be positioned between the platens of a heat press (comparable to 14 and 15 of figure 3), from being damaged if the forces applied by the heat press platens are not in balance. In the '874 patent it is proposed to simultaneously move the upper and lower platens so that equal and opposite forces are applied. In practice this is not practical and if the pallet is not equidistant from both platens damage can occur. This is discussed on page 1, line 27-29 of the present specification.

In the present invention the upper platen, which provides the pressing force onto the garment on the pallet, is attached to a C frame supported on an air cylinder and the weight of the frame and upper platen acts on the pallet. The lower platen moves relative to the C frame and the attached upper platen to counter this force. The two platens are in balance because the lower platen has an applied force and the upper platen and frame is supported on the air cylinder which

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is allowed to bleed until the two are in balance as discussed on page 3, line 21 – page 4, line 18 of the specification.

None of the citations address this problem.

Martin '565 does not press onto a pallet arm of a separate machine but is simply a conventional press not intended for use with a separate printing machine. The fixed platen 28 is not the equivalent to the pallet which swings into position between the pallet arms. The two movable platens are powered by one hydraulic cylinder and this acts on the lower platen. The Examiner is reminded that the upper and lower platens do not move toward the fixed platen 28 together. Rather the tie plates ensure that the upper and lower platens are always a fixed distance apart as can be seen in figures 1,2,4 and 5 and col. 2 lines 15-34. The upper and lower platens 20 and 22 are not both in contact with the fixed platen 28 at the same time.

Bradford has only one moveable platen to contact the article to be moulded. Similarly Amacker only discloses one moveable platen 3 and a fixed work piece platen 2.

Thus none of the citations singly or in combination disclose a press with a support and a frame, an upper platen mounted on the frame which move together relative to the support and a lower platen mounted on the frame which moves relative to the frame.

In view of the above, consideration and allowance are, therefore, respectfully solicited.

In the event the Examiner believes an interview might serve to advance the prosecution of this application in any way, the undersigned attorney is available at the telephone number noted below.

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The Director is hereby authorized to charge any fees, or credit any overpayment, associated with this communication, including any extension fees, to CBLH Deposit Account No. 22-0185, under Order No. 21854-00040-US from which the undersigned is authorized to draw.

Dated: April 5, 2005

Respectfully submitted,

By 

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